

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

FISKARS CORPORATION
and FISKARS BRANDS, INC.,

Plaintiffs,

v.

GOLDEN OPENINGS, INC.,

Defendant.

ORDER

13-cv-81-slc

Plaintiffs Fiskars Corporation and Fiskars Brands, Inc. contend that defendant Golden Opening, Inc. is infringing on plaintiffs' orange-handled scissors trademark in violation of 15 U.S.C. § 1114. On April 1, 2013, defendant filed an answer signed by Kevin Baeth the CFO of Golden Openings, Inc.. Baeth does not appear to be a licensed attorney.

Under Fed. R. Civ. P. 11, "[e]very pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney's name-or by a party personally if the party is unrepresented." It is well established that a corporation may appear in the federal courts only through licensed counsel. *Rowland v. California Men's Colony*, 506 U.S. 194, 201-02 (1993); *Muzikowski v. Paramount Pictures Corp.*, 322 F.3d 918, 924 (7th Cir. 2003). Thus, defendant's answer has not been properly filed because it is not signed by an attorney. However, I will give defendant a chance to file another answer signed by counsel. *Kipp v. Royal & Sun Alliance Personal Insurance Company*, 209 F. Supp. 2d 962, 963 (E.D. Wis. 2002) (doing same).

The court will give defendant three more weeks, until April 24, 2013, to retain counsel and file an answer. If, by then, defendant does not file an answer signed by counsel, then I will ask the clerk to enter default against it pursuant to Fed. R. Civ. P. 55(a).

ORDER

IT IS ORDERED that:

1. Defendant Golden Opening Inc.'s answer, dkt. 6, is STRICKEN.
2. Defendant may have until April 24, 2013, in which to file an answer that complies with Fed. R. Civ. P. 11(a). If defendant fails to file a proper answer by April 24, 2013, the court may, on its own motion or a motion from plaintiff, order the clerk of court to enter default against defendant.

Entered this 3rd day of April, 2013.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge